

BRYAN SCHRODER
United States Attorney

RYAN D. TANSEY
Assistant U.S. Attorney
Federal Building & U.S. Courthouse
101 12th Avenue, Room 310
Fairbanks, Alaska 99701
Phone: (907) 456-0245
Fax: (907) 456-0577
Email: Ryan.Tansey@usdoj.gov

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,	) No. 3:19-cr-00111-RRB-MMS
)
Plaintiff,	) <u>COUNTS 1, 3, & 5:</u>
	) DISTRIBUTION AND DISPENSING
vs.	) OF A CONTROLLED SUBSTANCE
	) RESULTING IN DEATH
JESSICA JOYCE SPAYD,	) Vio. of U.S.C. §§ 841(a)(1), (b)(1)(C),
	) and 18 U.S.C. § 2
Defendant.)
	) <u>COUNTS 2 & 4:</u>
	) DISTRIBUTION AND DISPENSING
	) OF A CONTROLLED SUBSTANCE
	) RESULTING IN DEATH
	) Vio. of 21 U.S.C. §§ 841(a)(1),
	) (b)(1)(C) and (b)(2), and 18 U.S.C. § 2
)
	) <u>COUNTS 6-9:</u>
	) DISTRIBUTION AND DISPENSING
	) OF A CONTROLLED SUBSTANCE
	) Vio of 21 U.S.C. §§ 841(a)(1),
	) (b)(1)(C), and 18 U.S.C. § 2
)
)

) COUNT 10:
) MAINTAINING DRUG INVOLVED
) PREMISES
) Vio of 21 U.S.C. § 856(a)(1) and 18
) U.S.C. § 2
)
) CRIMINAL FORFEITURE
) ALLEGATION:
) Vio. of 21 U.S.C. § 853 and
) R. 32.2(a), Fed. R. Crim. P.
)

FIRST SUPERSEDING INDICTMENT

The Grand Jury charges that:

COUNTS 1-5

On or about the dates listed below, within the District of Alaska, the defendant, JESSICA JOYCE SPAYD, then a nurse practitioner licensed to practice medicine in the State of Alaska, did knowingly and intentionally possess with intent to distribute and dispense, distribute and dispense, and cause the intentional distribution and dispensing of controlled substances, in violation of 21 U.S.C. § 841 as described below:

The defendant, JESSICA JOYCE SPAYD, while acting and intending to act outside the usual course of professional practice and without a legitimate medical purpose, wrote and dispensed prescriptions for the following Schedule II controlled substances:

substances containing a detectable amount of methadone;
substances containing a detectable amount of fentanyl;
substances containing a detectable amount of oxycodone;
substances containing a detectable amount of hydromorphone;

and, for the following Schedule IV controlled substances:

substances containing a detectable amount of diazepam; and
substances containing a detectable amount of carisoprodol.

The following deaths resulted from JESSICA JOYCE SPAYD's knowing and intentional possession with intent to distribute, distribution and dispensing, and causing the intentional distribution and dispensing of the below listed controlled substances, with each of the below deaths constituting a separate and distinct count of this Indictment:

COUNT 1

On or about October 14, 2014, J.L. received prescriptions from the defendant, JESSICA JOYCE SPAYD, for methadone and oxycodone. On or about October 14, 2014, J.L. filled the controlled substance prescriptions she received from SPAYD at a pharmacy. On October 15, 2014, J.L. overdosed and died as a result of use of the methadone and oxycodone that SPAYD prescribed to him/her.

All of which is in violation of in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

COUNT 2

On or about September 10, 2015, K.B. received prescriptions from the defendant, JESSICA JOYCE SPAYD, for hydromorphone and carisoprodol. On or about September 10, 2015, K.B. filled the controlled substance prescriptions she received from SPAYD at a pharmacy. On September 11, 2015, K.B. overdosed and died as a result of use of the hydromorphone and carisoprodol that SPAYD prescribed to him/her.

All of which is in violation of in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C) and (b)(2), and 18 U.S.C. § 2.

COUNT 3

On or about December 3, 2015, B.S. received prescriptions from the defendant, JESSICA JOYCE SPAYD, for methadone and hydromorphone. On or about December 17, 2015, B.S. filled the controlled substance prescriptions she received from SPAYD at a pharmacy. On December 22, 2015, B.S. overdosed and died as a result of use of the methadone that SPAYD prescribed to him/her.

All of which is in violation of in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

COUNT 4

On or about January 25, 2016, E.K. received prescriptions from the defendant, JESSICA JOYCE SPAYD, for oxycodone, methadone, diazepam. On or about January 25 and 26, 2016, E.K. filled the controlled substance prescriptions she received from SPAYD at a pharmacy. On February 7, 2016, E.K. overdosed and died as a result of use of the oxycodone, methadone, and diazepam that SPAYD prescribed to him/her.

All of which is in violation of in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C) and (b)(2), and 18 U.S.C. § 2.

COUNT 5

On or about February 20, 2019, L.D. received prescriptions from the defendant, JESSICA JOYCE SPAYD, for fentanyl and oxycodone. On or about February 20, 2019,

L.D. filled the controlled substance prescriptions she received from SPAYD at a pharmacy. On March 2, 2019, L.D. overdosed and died as a result of use of the fentanyl and oxycodone that SPAYD prescribed to him/her.

All of which is in violation of in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

COUNTS 6-9

On or about the dates listed below, within the District of Alaska, the defendant, JESSICA JOYCE SPAYD, then a nurse practitioner licensed to practice medicine in the State of Alaska, did knowingly and intentionally possess with intent to distribute and dispense, distribute and dispense, and cause the intentional distribution and dispensing of controlled substances, in violation of 21 U.S.C. § 841 as described below:

JESSICA JOYCE SPAYD, while acting and intending to act outside the usual course of professional practice and without a legitimate medical purpose, wrote and dispensed prescriptions for substances containing a detectable amount of oxycodone, a Schedule II controlled substance, with each of the below prescriptions constituting a separate and distinct count of this indictment:

Count	On or About Date Prescription Written	Prescription	DEA Schedule	Person
6	October 31, 2018	oxycodone	II	J.E.
7	May 9, 2019	oxycodone	II	J.W.
8	May 15, 2019	oxycodone	II	J.W.

Count	On or About Date Prescription Written	Prescription	DEA Schedule	Person
9	June 13, 2019	oxycodone	II	J.W.

All of which is in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), and 18 U.S.C.

§ 2.

COUNT 10

On a date unknown to the Grand jury, but no later than January 2014, and continuing through in or about October 2019, within the District of Alaska, the defendant, JESSICA JOYCE SPAYD, knowingly and intentionally opened, used, and maintained a place known as Eagle River Pain & Wellness, LLC, located at 16425 Brooks Loop, Eagle River, Alaska, for the purpose of distributing controlled substances outside the usual course of professional practice and without a legitimate medical purpose.

All of which is in violation of 21 U.S.C. § 856(a)(1) and 18 U.S.C. § 2.

CRIMINAL FORFEITURE ALLEGATION

The allegations contained in Counts 1-10 of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 21 U.S.C. § 853.

Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21 U.S.C. § 841, and/or 21 U.S.C. § 856, the defendant, JESSICA JOYCE SPAYD, shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any property

used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense, including but not limited to the following:

- Real Property located at: 16425 Brooks Loop, Eagle River, AK, 99577;
- Real Property located at: 5201 East Northern Lights Blvd, Building #4, Unit #2S, Anchorage, AK 99508; Tax Parcel: 0063222102418.

All pursuant to 21 U.S.C. § 853 and Rule 32.2(a), Federal Rules of Criminal Procedure.

A TRUE BILL.

s/ Grand Jury Foreperson
GRAND JURY FOREPERSON

s/ Kyle Reardon for
RYAN D. TANSEY
Assistant U.S. Attorney
United States of America

s/ Bryan Schroder
BRYAN SCHRODER
United States Attorney
United States of America

DATE: 1/19/2021